

at the moment. Then, suddenly, oh, the Federal Government: We are the ones who have to make the rules.

So there is so much at stake. I just took to the floor because I thought before we recessed, I might put it in the RECORD. I want to say, in relation to all these issues that are so very difficult—the issue of war and peace, the issue of this economy, the issue of the environment, the issue of a woman's right to choose, that is under tremendous attack every day by this administration—and I should mention the horrible time people in the Washington, DC, area are going through because of a sniper out there—these are hard times, but a little light peeks through every once in a while.

I thought I would end on an up note: Two of my teams in California are going to the World Series. So even in these hard times, a little brightness shines through. For this Senator from California, I could not be more proud of these two teams from San Francisco and Anaheim.

It is going to be very hard for me. What am I going to do? I have to root for everybody. But whatever happens, California will win. And if I have my way, once that is over, I want California to win on this economy, on the environment. I want the kids in my State to have the best education, the best health care, the best life, the best shot at the American dream.

So after the World Series is over, and after the elections are over, I will be back here and I will be fighting for those very things.

I thank you very much, Madam President. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FCC VACANCY

Mr. DORGAN. Madam President, earlier today I spoke briefly about the nomination of Mr. Adelstein to serve as a member of the Federal Communications Commission. I know that the two Senate leaders are working on nominations to see if they could clear some today. I don't know the final result of that, but it now appears as if that will not be the case. I want to speak not about all of the nominations that are awaiting confirmation by the Senate but only about this nomination.

This nomination doesn't have so much to do with the person I am speaking of, Jonathan Adelstein, as it has to do with the position at the Federal Communications Commission, a vacant spot that has been there over a year. That particular nomination is critically important especially to rural States and rural areas.

We have a Federal Communications Commission that is on the edge of making critically important decisions about the future of telecommunications. These decisions will have a profound impact on a significant part of our country.

Chairman Powell and others, I fear, are going to take action in a wide range of areas that will have a significant impact on rural America. Mr. Copps is one commissioner fighting valiantly. His is a refreshing voice that stands up for the interests of rural America. But we now have this vacancy at the FCC for 13 months.

Mr. Jonathan Adelstein is a superbly qualified candidate who should have been there long ago and has been held up at a number of intersections with this process.

On September 7, Gloria Tristani resigned the FCC. This is a Democratic seat. There are Republican and Democratic appointments. This is a Democratic appointment. It took forever for the White House to get his nomination to the Senate. The Commerce Committee on which I serve approved it and reported it out on July 23. So 13 months after the vacancy was available, and 4 months after the Commerce Committee took action on Jonathan Adelstein's nomination, that position is still vacant. We have one commissioner's slot down at the FCC that is unfilled.

The voice of Mr. Adelstein could join that of Mr. Copps in speaking up, standing up, and fighting for rural interests for those millions of Americans who live in more sparsely populated States and for whom telecommunications policy will be the difference of being on the right or wrong side of the digital divide, will mean whether you have economic opportunity and economic growth or not. These policies are critically important for all Americans but especially for Americans who live in my part of the country and in a rural State.

Think back to the 1930s, when we had a country in which if you lived out on the farm, you had no electricity. No one was going to bring electricity to the farm until public policy said, through the REA program, we will electrify America's farms. We will have a Federal program and public policy that says we will move electricity to all the small towns and family farms in our country. We did that, and we unleashed productivity never before imagined.

Some who are in a regulatory body today have the mindset that if the market system doesn't provide for it, it shall not be available. They would never have had an REA program. We would still be having America's farms without electricity. We would not have made the progress we did. But we have people in these regulatory agencies who have this mindset. They worship at the altar of the market system. Listen, the market system is a wonderful thing. I am all for it, but it needs effective

regulation. Effective regulation by the FCC in telecommunications policy is critical to our future.

The market system is a system that says to us that someone who portrays a judge on television—I will not name the judges. There are three or four of them. I will name one—Judge Judy—makes \$7 million a year, I read in the paper. That is the market system. The Chief Justice of the U.S. Supreme Court makes \$180,000 a year. That is the market system. A schoolteacher might make \$30,000 or \$40,000, and a shortstop for the Texas Rangers may make \$250 million over 10 years. The market system. The market system is wonderful.

I have studied economics, taught it, and been able to overcome it, however, and still lead a good life. I believe in the market system. I think it is a wonderful thing. But it needs effective regulation, and it needs policymakers and regulatory authorities and regulatory bodies that have some common sense.

I worry about the FCC and the decisions they are about to make. At the FCC, we need a full complement of commissioners, and we need this slot filled—not tomorrow, not next week, not next year. We need this slot filled now. We must find a way to overcome this logjam on nominations. I am only speaking of this one because it is really important in terms of telecommunications policy and future opportunities and economic growth in rural States. In the coming days and weeks, as we reconvene following the election—which I understand will now be the week of November 12—my hope is we can find a way to clear these nominations. I know Senator DASCHLE understands that and has tried to do that. The Senate should do this, clear this nomination and other nominations that have been waiting on the calendar for some long while.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### KEEPING CHILDREN AND FAMILIES SAFE ACT

Mr. DODD. Mr. President, I want to take a few minutes to express my disappointment. I was going to call up some legislation that we have worked very hard on dealing with children, the Keeping Children and Families Safe Act. It was legislation approved by the Senate Health, Education, Labor, and Pensions Committee in September, about a month ago. I think it was adopted unanimously. It deals with abused children. It reauthorizes the Child Abuse Prevention and Treatment Act, better known as CAPTA.